

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64534 of 2021

Arising Out of PS. Case No.-967 Year-2019 Thana- ALAMGANJ District- Patna

Arbind Ray Son Of Jaj Ray R/O Village- Jay Kishun Road, Tinkoniya Majar,
Beside Sudarshan School, Nutan Ghat, P.S.- Khajekala, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad, Adv

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-03-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks bail in connection with Special Case No.11707 of 2019 arising out of Alamganj P.S.Case No.967 of 2019, registered for the offence under Sections 30(a), 38(2), 41(1) of the Bihar Prohibition and Excise Amendment Act, 2016.

Recovery is of total 800 liters of country made liquor.

Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present case. He further submits that it appears from the FIR that



nothing has been recovered from the conscious possession of the petitioner rather the recovery has been made from Mahavir Ghat. He further submits that co-accused, namely, Ravi Kumar has been granted privilege of anticipatory bail vide order dated 08.07.2021 in Cr. Misc. No.38356 of 2020 and another co-accused, namely, Hari Nandan Rai has been granted bail vide order dated 06.07.2020 in Cr. Misc. No. 21655 of 2020 by different Coordinate Benches of this Hon'ble Court and the petitioner is in custody since 28.08.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna in connection with Special Case No.11707 of 2019 arising out of Alamganj P.S.Case No.967 of 2019 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and



on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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